

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12617 of Israel J. and Joseph L. Mendelson, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 4101.41 to continue the use of a parking lot in the SP District at 1109-1121-11th St., N.W., (Square 341, Lots 11, 67, 68 and 802-806).

HEARING DATE: April 19, 1978

DECISION DATE: May 3, 1978

FINDINGS OF FACT:

1. The subject property is located in an SP District on the east side of 11th St., N.W. between L & M Streets.
2. By BZA Order No. 11230, dated February 26, 1973, the Board granted the continuation of parking on lots 802, 803, 68 and 67, in Square 341. The application as filed in that case requested continuation of parking on lots 11, 67, 68 and 802-806.
3. The applicant testified and presented valid occupancy permits dating back to 1971, which listed lots 802, 803, 67, 68, 11, and 804-806 for use as parking lots.
4. At the public hearing, in order to rectify clerical errors made in past application to the Board, the Board granted permission to amend this application to allow for the continuation of parking on lots 802, 803, 67 and 68, and for the establishment of parking on lots 11, and 804-806 for use as parking lots.
5. The subject property is approximately 17,000 Square feet in area. It has a capacity for approximately ninety vehicles with an attendant's shelter. The lot is a commercial facility, operated by RBI Parking, Inc., with the hours of operation from 7 a.m. to 6:30 p.m.

6. The property is surrounded by apartments and row houses to the west on the opposite side of 11th Street, to the south immediately adjoining the facility by a five story apartment building, to the north adjoining the lot by a three story converted apartment building or rooming house, and to the east behind the site by the back of an apartment building and five story row structures.

7. There was no report from Advisory Neighborhood Commission 2C on this application.

8. The Municipal Planning Office by report dated April 13, 1978, recommended conditional approval of this application for a period not to exceed four years, on the grounds that the establishment and continuation of this parking facility will not adversely affect the present character and future development of the neighborhood. The Municipal Planning Office recommended a conditional approval on the grounds that it noted that during its site inspection cars were illegally parked within the public space and that the subject application should be amended to include those lots that were not included in the aforementioned BZA Order No. 11230. These deficiencies need to be corrected. The Board so finds.

9. The application was referred to the Department of Transportation on March 8, 1978, for its review and report. No report from the Department was received.

10. There was no opposition to the granting of this application.

CONCLUSION OF LAW AND OPINION:

Based on the above Findings and the evidence of record, the Board concludes that the continued use of this parking facility is not likely to become objectionable to adjoining or nearby property because of noise, traffic or other objectionable conditions nor will it adversely affect the present character of this neighborhood. It is therefore ORDERED that this application is hereby GRANTED SUBJECT to the following CONDITIONS:

- a. Approval shall be for a period of three years which shall be subject to renewal at the discretion of the Board upon the filing of a new application in the manner prescribed by the Zoning Regulations.
- b. All areas devoted to driveways, access lanes, and parking areas shall be maintained with a paving of material forming an all-weather impervious surface.
- c. An eight (8) inch coping shall be erected and maintained along each side of all driveways to protect the public space.
- d. Bumper stops shall be erected and maintained for the protection of all adjoining buildings.
- e. No vehicle or any part thereof shall be permitted to protect over any lot or building line or on or over the public space.
- f. All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance. Landscaping plans shall be approved by the Department of Highways and Traffic.
- g. No other use shall be conducted from or upon the premises and no structure other than attendant's shelter shall be erected or used upon the premises unless such use or structure is otherwise permitted in the zoning district in which the parking lot is located.
- h. Any lighting used to illuminate the parking lot or its accessory building shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

- i. Parking shall be limited to private automobiles and vehicles only, no trucks.

VOTE: 4-0 (William F. McIntosh, Charles R. Norris, Chloethiel Woodard Smith and Leonard L. McCants)



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER:

26 MAY 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.